



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Adopt Resolution Accepting Street Improvements along Harney Lane and Cherokee Lane and 24-Foot Wide Public Lanes within The Villas, Tract No. 3400

**MEETING DATE:** August 16, 2006

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** That the City Council adopt a resolution accepting street improvements along Harney Lane and Cherokee Lane and 24-foot wide public lanes within The Villas, Tract No. 3400.

**BACKGROUND INFORMATION:** The Villas development is located at the northwest corner of the Harney Lane/Cherokee Lane intersection and consists of 80 medium-density single-family residential lots. On August 17, 2005, Council accepted the public street improvements in The Villas, Tract No. 3400, as having been completed in substantial conformance with the requirements of the improvement agreement between the City of Lodi and KB Home North Bay, Inc., a California Corporation, as approved by the City Council on December 1, 2004, and as shown on Drawing Nos. 004D017-01 through 004D017-29. This partial acceptance did not include the interior public lanes nor did it include the work done on Harney Lane or Cherokee Lane. The public lanes are 24-foot wide stub streets serving four to seven lots covered with paving stones. These lanes are narrower than typical public streets, and parking is not allowed on them, as previously approved by the Council. However, in order to accept the lanes in accordance with the California Streets and Highways Code, the Resolution notes public convenience and necessity. Having the narrow lanes furthers City and State goals of higher density and more affordable housing.

Acceptance was delayed until the completion of the homes fronting these lanes. These remaining improvements are now complete and staff is recommending Council acceptance of the remainder of the development.

The developer was entitled to reimbursement by the City for the oversizing costs associated with the master plan water mains being constructed with the project. The reimbursement was applied as a credit against Development Impact Mitigation Fees for water facilities in conformance with LMC 16.40 Reimbursements for Construction. Council approved an appropriation of \$25,500 for the required reimbursement at its December 1, 2004 meeting.

The landscape and irrigation improvements installed by this project along Harney Lane and Cherokee Lane (49,960 square feet) are public and will be maintained by the City. The developer is responsible for landscape maintenance until October 16, 2006.

APPROVED:

Blair King, City Manager

The streets to be accepted are as follows:

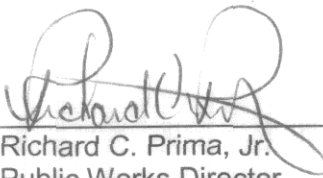
Streets	Length in Miles
Via Marco Lane	0.02
Masarosa Lane	0.05
San Pietro Lane	0.02
Vallini Lane	0.02
Marano Lane	0.02
Mercato Lane	0.02
Felino Lane	0.03
Palazzo Lane	0.02
Corfino Lane	0.03
Harney Lane*	0.00
Cherokee Lane*	0.00
<b>Total New Miles of City Streets</b>	<b>0.23</b>

\* The street dedications for Harney Lane and Cherokee Lane widen existing streets. These two street dedications did not add additional miles to the City's street system.

**FISCAL IMPACT:** Per Item 19, "Repair or Reconstruction of Defective Work", of the improvement agreement, the developer's warranty period will begin on the date of Council acceptance. The estimated annual landscape maintenance is \$24,000 and is funded by the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1.

**FUNDING AVAILABLE:** IMF – Water Facilities \$25,500

  
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Ruby Paiste, Financial Services Manager

  
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Richard C. Prima, Jr.  
Public Works Director

Prepared by Wesley K. Fujitani, Senior Civil Engineer

RCP/WKF/pmf

cc: City Attorney  
Senior Civil Engineer - Development Services  
Senior Traffic Engineer  
Street Superintendent (w/attachment)  
Senior Engineering Technician  
Building Official

RESOLUTION NO. 2006-157

A RESOLUTION OF THE LODI CITY COUNCIL ACCEPTING A PORTION  
OF THE DEVELOPMENT IMPROVEMENTS INCLUDED IN THE  
IMPROVEMENT AGREEMENT FOR THE VILLAS, TRACT NO. 3400

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The City Council of the City of Lodi finds:

1. That the City Council on August 17, 2005 (Resolution 2005-162) accepted a portion of the requirements of the improvement agreement between the City of Lodi and KB Home North Bay, Inc., for public street improvements within the subdivision boundaries of The Villas, Tract No. 3400, shown on Drawing Nos. 004D017-01 through 004D017-29 on file in the Public Works Department and as specifically set forth in the plans and specifications approved by the City Council on December 1, 2004, as substantially complied with; and
2. That the City Council now accepts the street improvements along Harney Lane and Cherokee Lane and 24-foot wide public lanes within The Villas, Tract No. 3400; and
3. The public lanes are 24-foot wide stub streets serving four to seven lots covered with paving stones, and these lanes are narrower than typical public streets, and parking is not allowed on them, as previously approved by the Council; and
4. That pursuant to the California Streets and Highways Code §1805, the City Council may, by Resolution passed by a four-fifths vote of its membership, determine that the public convenience and necessity demand the acquisition, construction and maintenance of a street of less than 40 feet.
5. That the streets to be accepted are as follows:

Streets	Length in Miles
Via Marco Lane	0.02
Masarosa Lane	0.05
San Pietro Lane	0.02
Vallini Lane	0.02
Marano Lane	0.02
Mercato Lane	0.02
Felino Lane	0.03
Palazzo Lane	0.02
Corfino Lane	0.03
Harney Lane*	0.00
Cherokee Lane*	0.00

<b>Total New Miles of City Streets</b>	<b>0.23</b>
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\*The street dedications for Harney Lane and Cherokee Lane widen existing streets. These two street dedications did not add additional miles to the City's street system.

Dated: August 16, 2006

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I hereby certify that Resolution No. 2006-157 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 16, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, Mounce,  
and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
JENNIFER M. PERRIN  
Interim City Clerk

CITY COUNCIL

SUSAN HITCHCOCK,  
Mayor

BOB JOHNSON,  
Mayor Pro Tempore

JOHN BECKMAN

LARRY D. HANSEN

JOANNE MOUNCE

# CITY OF LODI



## PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET / P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

TELEPHONE (209) 333-6706 / FAX (209) 333-6710

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BLAIR KING,  
City Manager

JENNIFER M. PERRIN,  
Interim City Clerk

D. STEPHEN SCHWABAUER,  
City Attorney

RICHARD C. PRIMA, JR.,  
Public Works Director

August 17, 2006

KB Home North Bay  
2420 Del Paso Road, Ste. 200  
Sacramento, CA 95834

SUBJECT: The Villas, Tract No. 3400

The City Council of the City of Lodi, at its meeting on August 16, 2006, accepted the public improvements that were made in the subject project.

Enclosed for your files is a copy of the resolution accepting the public improvements. From the date of the resolution, the City of Lodi will maintain the street and other public improvements installed within rights-of-way and public utility easements as shown on the approved plans.

A copy of this letter will be sent to your bonding agency in order that the bond covering faithful performance can be exonerated. The bond covering labor and materials will have to remain in effect for a period of ninety days from the date of the resolution in conformance with State law.

If you have any questions, please contact Rebecca Areida, Management Analyst, at (209) 333-6800, ext. 2658, or me at (209) 333-6709.

A handwritten signature in black ink, appearing to read "F. Wally Sandelin".

F. Wally Sandelin  
City Engineer

FWS/pmf

Enclosures

cc: Electric Utility Department  
Water/Wastewater Division  
Street Division  
City Clerk  
Management Analyst  
Safeco Insurance Company of America

CITY COUNCIL

SUSAN HITCHCOCK,  
Mayor

BOB JOHNSON,  
Mayor Pro Tempore

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Public Works Director

August 17, 2006

Safeco Insurance Company of America  
Joyce Herrin, Attorney-in-Fact  
Aon Risk Services, Inc.  
707 Wilshire Boulevard, Ste. 6000  
Los Angeles, CA 90017

SUBJECT: The Villas, Tract No. 3400

The City Council of the City of Lodi, at its meeting on August 16, 2006, accepted the public improvements in the subject project. A copy of the resolution is enclosed.

This letter is your authorization to exonerate the bond covering faithful performance. The bond covering labor and materials must remain in effect until November 14, 2006, in conformance with the requirements of State law. You will receive no further correspondence regarding the release of the bond for labor and materials unless a claim is filed.

If you have any questions, please contact Rebecca Areida, Management Analyst, at (209) 333-6800, ext. 2658, or me at (209) 333-6709.

A handwritten signature in cursive script that reads "F. Wally Sandelin".

F. Wally Sandelin  
City Engineer

FWS/RA/pmf

Enclosures

cc: KB Home North Bay  
City Clerk  
Management Analyst